

February 3, 2002

USPTO
Washington, DC
Examiner: Ed Westin
Re: US Application 09/760,908
Fax: 703 746-6886

FAX RECEIVED

FEB 03 2003

TECHNOLOGY CENTER 2800
SPECIAL PROGRAM CENTER

Mr. Westin:

- Petition for Revival dated 4/22/01 including a Transmittal Letter to the United States Design/Elected Office (DO/EO/US) concerning a filing under 35 U.S.C 317 including on page 2 "send all correspondence to:"
Geoffrey L McCabe
6124 Glen Tower
Hollywood, CA 90068 USA
- Petition given filing date - 10/23/2001;
- Received a letter from prior attorney dated Oct 10, 2002 with a Notice of Abandonment with mailing date 10/01/2002 enclosed therein;
- Spoke to Examiner Kimberly Lockett on or about 10/15/2002 and she directed me to file a "Change of Correspondence Address" and a "Petition to Revive in view of the forgoing course of events;
- Faxed from work a "Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b)" and "Change of Correspondence Address" - each dated 10/17/02;
- Faxed to Examiner Lockett further regarding this case.

This is to certify I have no records in my file of having received any Office Action dated 03/28/02 in regards to the above mentioned application.

Thank you,

Geoffrey McCabe
6124 Glen Tower walk
Hollywood, CA 90068
323 464-3027
323 819-0100 cell

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Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b) Docket Number (Optional)

First named inventor: Geoffrey Lee McCabe

Application No.: 09/830,279

Group Art Unit: 2837

Filed: 10/23/2001

Examiner: Kim R Lockett

Title:

Attention: Office of Petitions
Assistant Commissioner for Patents
Box DAC
Washington, D.C. 20231

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☐ Small entity-fee \$_____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☐ Other than small entity - fee \$_____ (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of _____ (Identify type of reply):

- ☐ has been filed previously on _____
☐ is enclosed herewith.

B. The issue fee of \$_____

- ☐ has been paid previously on _____
☐ is enclosed herewith.

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 1.0 hour to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PTO/SB/63 (10-00)

Approved for use 10/31/2002, OMB 0551-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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3. Terminal disclaimer with disclaimer fee

- ☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c)(III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

10/17/02
Date

Telephone
Number: (323) 819-0100

Geoffrey Lee H. Cabe
Signature

Typed or printed name

6124 Glen Tower Walk
Address

Hollywood, CA 90065

Enclosures: ☐ Fee Payment

☐ Reply

☐ Terminal Disclaimer Form

☐ Additional sheets containing statements establishing unintentional delay

☐ Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- ☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box DAC, Washington, D.C. 20231.
- ☒ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 305-6916.

Date

Geoffrey Lee H. Cabe
Signature

Typed or printed name of person signing certificate